IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FOURTH DAY OF MAY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 11577 of 2005

Between:

Kurapati Pardhasaradhi s/o Venkateswarlu,

Aged 50 years, Hindu, Fair Price Shop Dealer,

Shop No. 17, R/o Dhoravarithota, Ongole Town

Prakasham District.

..... PETITIONER

AND

1. The Joint Collector, Prakasham, Prakasham District

2. The Revenue Divisional Officer, Ongole,Prakasham

District.

3. The Mandal Revenue Officer, Ongole, Prakasham District.

....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of mandamus declaring the order of the Revenue Divisional Officer, Ongole, Prakasam District, the 2nd respondent herein in his proceedings in Rcc/1821/2004 dt. 5-5-2005 canceling the Fair Price Shop Dealership authorization of the petitioner of shop No.17, Ongole Town, Prakasam District and the consequential inaction of thel Joint Collector, Ongole, Prakasam District, the 1st respondent in not considering and disposing of the stay petition and appeal on his Rcc/1821/2004, dt. 5.5.2005 as arbitrary, malafide, illegal, improper, void, vitiated, unconstitutional, contrary to the statutory provisions of law, violative of principles of natural justice and against the

Right of Appeal and consequently set aside the order in proceedings in Rcc/1821/2004, dt. 5.5.2005, issued by the 2nd respondent, thereby enabling the petitioner to continue as permanent Fair Price Shop Dealer, Shop No17, Ongole Town, Prakasham District.

Counsel for the Petitioner:MR.RAJANIKANTH JWALA

Counsel for the Respondent No.: GP FOR CIVIL SUPPLIES

The Court made the following :

ORDER:

-

This writ petition is filed assailing the proceedings in Rcc/1821/2004, dated 5-5-2005 issued by the 2nd respondent in canceling the Fair Price Shop Dealership of the petitioner's Shop No.17, Ongole Town, Prakasham District and the consequential action of the 1st respondent in not considering the appeal filed by him.

Heard the learned counsel for the petitioner as well as the learned Government Pleader for respondents.

Admittedly, an appeal is pending before the 1st respondent and appropriate orders have to be passed by the 1st respondent in the appeal in accordance with law.

Therefore, without entering into the merits of the case, the writ petition is disposed of directing the 1st respondent to dispose of the appeal filed by the petitioner within a period of four weeks from the date of receipt of a copy of this order, after giving reasonable opportunity to the petitioner.

No order as to costs.

_____

K.C.Bhanu,J.

24th May, 2005.

KM

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Joint Collector, Prakasham, Prakasham District

2. The Revenue Divisional Officer, Ongole,Prakasham

District.

3. The Mandal Revenue Officer, Ongole, Prakasham District.

4. 2 CCs to G.P. for Civil Supplies, High Court Buildings, Hyderabad (OUT)

5. 2 CD copies

THE HON'BLE MR JUSTICE K.C. BHANU

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

WRIT PETITION NO : 11577 of 2005

-

-

24th May, 2005.